

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

D-13, NOLAN WOODS II,

Defendant.

Case Number: 18-20719-13

Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING
DEFENDANT'S PLEA OF GUILTY, TAKING THE RULE 11 PLEA AGREEMENT
UNDER ADVISEMENT, AND GRANTING PETITION TO EXTEND TIME TO
CONDUCT PRESENTENCE INTERVIEW WITH PROBATION AGENT**

On November 5, 2019, United States Magistrate Judge Patricia T. Morris conducted a plea hearing pursuant to Defendant Woods' consent. The magistrate judge issued her report that same day, recommending that this Court accept Defendant's plea of guilty.

Although the magistrate judge's report explicitly stated that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, neither Plaintiff nor Defendant filed any objections. The failure to file objections waives any right to appeal the magistrate judge's findings that Defendant was competent to enter a plea, and that the plea was entered knowingly, voluntarily, without coercion, and with a basis in fact. *See* Fed. R. Crim. P. 11(b); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Additionally, Defendant filed a petition requesting that his presentence interview with a probation agent occur on November 19, 2019. ECF No. 302. Administrative Order 07-AO-029 of the Eastern District of Michigan provides that after a plea hearing, a presentence interview "shall be completed within 7 days of referral to the Probation Department." Defendant represents that

“[b]ecause of scheduling and prior commitments, the interview could not take place within the seven-day period and is presently scheduled for November 19, 2019.” ECF No. 302 at PageID.1139.

Accordingly, it is **ORDERED** that the magistrate judge’s Report and Recommendation, ECF No. 282, is **ADOPTED**.

It is further **ORDERED** that Defendant’s plea of guilty is **ACCEPTED**, and the Amended Rule 11 Plea Agreement, ECF No. 317, is taken **UNDER ADVISEMENT**.

It is further **ORDERED** that Defendant’s petition to extend the time for a presentence interview with the assigned probation agent until November 19, 2019, ECF No. 302, is **GRANTED**.

Dated: December 12, 2019

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge